

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application Number: 09/628,146
Filing Date: 7/28/2000
Applicant: N. DiPrinzio
Examiner/ AU: M. Henderson/ 3722
Application Title: *Magnetic Page Marker*
Docket Number: 102

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AMENDMENT

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Sir:

In response to the Office action of 5/9/03, please amend the above-identified application as follows:

In the Claims:

1. (cancelled) A magnetic clip marker for use in engaging and marking a page of a book, the clip marker including in combination:

a pair of wall members aligned and joined together, with said pair of wall members comprised of a base portion and a clip portion overlapping said base portion to define a throat therebetween and structurally arranged to receive a page of a book between said base portion and said clip portion;

magnetic members aligned with respect to one another and mounted to the base portion and said clip portion to permit contact therebetween; and

a cover member covering said magnetic members on said overlapping base portion and said clip portion to permit the page of the book to be readily received within said throat of the clip marker.

2. (previously amended) The magnetic clip marker in accordance with claim 21, wherein at least one external surface of the clip marker opposite an opening of said throat provides an application surface for graphic prints.

3. (previously amended) The magnetic clip marker in accordance with claim 21, wherein a signaling tab member extends outwardly from the joined pair of wall members.

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4. (currently amended) The magnetic clip marker in accordance with claim 21, wherein said pair of wall members are ~~overlapping one another and~~ are substantially aligned during engagement and marking a page of a book.
5. (previously amended) The magnetic clip marker in accordance with claim 21, wherein said cover member constitutes a guiding means for admission of an edge of the page into said throat of the clip marker.
6. (cancelled)
7. (previously amended) The magnetic clip marker in accordance with claim 21, wherein said cover member is a film made of plastic material.
8. (previously amended) The magnetic clip marker in accordance with claim 21, wherein said cover member is a film made of cellulosic material.
9. (previously amended) The magnetic clip marker in accordance with claim 21, wherein said pair of wall members are rectangular.
10. (previously amended) The magnetic clip marker in accordance with claim 21, wherein said pair of wall members are circular.
11. (previously amended) The magnetic clip marker in accordance with claim 9, wherein at least one edge of said pair of wall member is transverse to said junction therebetween to form a line signaling member on the page of the book.
12. (previously amended) The magnetic clip marker in accordance with claim 21, wherein one of said base portion or said clip portion has a length greater than the other.
13. (previously amended) The magnetic clip marker in accordance with claim 21, wherein at least one of said base portion or said clip portion includes an opening to provide a line identification on the page of a book.
14. (previously amended) The magnetic clip marker in accordance with claim 13, wherein said opening forms an ornamental design.
15. (cancelled)
16. (cancelled)
17. (previously amended) The magnetic clip marker in accordance with claim 21, wherein said base portion and said clip portion include wedge members structurally arranged to cooperate with said magnetic members to permit the page of the book to be readily received within said throat of the clip marker.

18. (cancelled)

19. (cancelled)

20. (currently amended) A magnetic clip marker for use in engaging and marking a page of a book, the clip marker including in combination: magnetic members each exhibiting a thickness; a pair of wall members of unequal length aligned and joined together at a throat to define an integral structure ~~exhibiting a normally closed orientation~~ with opposite surfaces of said wall members providing a continuous interior surface extending between said throat and terminal ends of said wall members; ~~with said wall members comprised of a base portion adjacent said terminal ends and a clip portion overlapping said base portion to define said throat as a junction between said wall members thereby and structurally arranged to receive insertion of a the page of a the book between said base portion and said clip portion until an edge of the page engages said throat, said wall members supporting said magnetic members along said interior surface in aligned facing opposition to permit contact between said magnetic members against said page; and a cover member disposed along said interior surface to form a continuous layer extending from a first of said terminal ends, around said throat and to a second of said terminal ends while covering and separating said magnetic members and forming a continuously gradual structural transition between said interior surface and said magnetic members, thereby accommodating that accommodates a difference in separation between said opposite wall members and between said magnetic members attributable to said thickness, said cover member covering both said magnetic members and at least one external surface of the overlapping base and clip portion.~~

21. (currently amended) A magnetic clip marker for use in engaging and marking a page of a book, the clip marker including in combination: a plurality of discrete magnetic members each exhibiting a thickness; a pair of wall members of unequal length aligned and joined together at a throat to form an integral ~~monolithic structure exhibiting a normally closed orientation~~, with said wall members comprised of a base portion adjacent to terminal ends of said wall members and a clip portion overlapping said base portion and extending to said throat, said wall members bearing said magnetic members ~~mounting-mounted~~ between said wall members, in aligned facing opposition to permit

contact between said magnetic members against said page; and a cover member disposed along ~~said an~~ interior surface of one of said pair of wall members to form a continuous layer extending from a first of said terminal ends, around said throat and to a second of said terminal ends while covering and separating said magnetic members and forming a continuously gradual structural transition ~~between a difference in separation between~~ said opposite wall members and between said magnetic members ~~attributable to said thickness~~, said cover member covering both said magnetic members and at least one external surface of the overlapping base and clip portion.

22. (cancelled)